

THE HON'BLE SRI JUSTICE N.V. RAMANA

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W.P. No. 22789 of 2005

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Oral order:

The petitioner, namely M/s. Hindustan Aeronautics Limited, has filed this writ petition assailing the finding of the Labour Court made in I.D. No. 99 of 1999, dated 23.08.2005, holding that the domestic enquiry conducted against respondent No.2, is invalid.

The matter was adjourned on several occasions. However, the writ petition was neither admitted nor any interim directions were granted.

Today when the matter was taken up for hearing, it is submitted by the learned counsel for respondent No.2 and admitted to by the learned counsel for the petitioner that in pursuance of the impugned award, both the parties adduced their evidence before the Enquiry Officer, and the Enquiry Officer, has to submit his report.

Be that as it may, the finding recorded by the Labour Court that the domestic enquiry conducted against respondent No.2 is invalid, is based on the material available on record, and having regard to the judgment of the apex Court in **Cooper Engineering Limited v. P.P. Mundhe**, wherein it was held that no piecemeal adjudication of industrial dispute is permissible, no interference is called for with the impugned award, and more so when it is stated by the counsel that the evidence of the parties before the Enquiry Officer, has already been over.

For the foregoing reasons, there is no merit in the writ petition and the same is accordingly dismissed. No costs.

N.V. RAMANA, J.

Date: 28.03.2006

KSR